IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 2609/06
Naval Gupta
Vs.
State of Rajasthan and Ors.

Date of Order : 08/02/2007

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Kuldeep Mathur for the petitioner.
Mr. Rameshwar Dave, Dy.G.A. for the respondents.

BY THE COURT:-

Heard learned counsel for the parties.

By the instant writ petition under Article 226 of the Constitution of India, the petitioner seeks quashing of the order dated 06.5.2006 Annex.5 passed by the District Collector, Sri Ganganagar whereby the petitioner was placed under suspension.

A reply to the writ petition has been filed by the respondents. In the reply, it has been stated that the order Annex.5 dated 06.5.2006 has been recalled vide order dated 24.7.2006 by the District Collector, Sri Ganganagar. This fact has not been disputed by the petitioner. The petitioner has also

filed an application being IA No.493/07 stating therein that by order Annex.A/1 dated 24.7.2006, the petitioner has been reinstated. Thus, nothing survives in the writ petition so far as challenge to the order Annex.5 dated 6.5.2006 is concerned as it does not exist in view of the subsequent order dated 24.7.2006.

The grievance of the petitioner is that the petitioner has not been paid the monthly salary. Since the order of suspension has been revoked there being no reason for the respondents not to pay the salary to the petitioner. When the petitioner has been reinstated after revoking the order of suspension, he would be entitled for the pay and allowance applicable to the post which the petitioner holds.

In this view of the matter, nothing survives in the writ petition and it is therefore, disposed of. The application being IA No. 493/07 also stands disposed of. There shall be no order as to costs.

(H.R.PANWAR),J.

rp